

DECLARATION OF MAINTENANCE RESPONSIBILITIES

WHEREAS, BORDER AND JACARANDA HOLDINGS, LLC, a Florida limited liability company, hereinafter referred to as "Owner," is the owner of the real property within the city limits of Venice, Florida, known and identified as "**CIELO**," on the following described real property, hereinafter referred to as the "Property":

A PARCEL OF LAND LYING IN SECTION 35, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NW CORNER OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 19 EAST; THENCE S.00°19'42"W., ALONG THE WEST LINE OF SAID SECTION 35, A DISTANCE OF 12.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LAUREL ROAD, AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT NO. 2019041853 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND THE **POINT OF BEGINNING**;

THENCE S.89°10'25"E., ALONG SAID SOUTH RIGHT-OF-WAY LINE, ALSO LYING 12.00 FEET SOUTH AND PARALLEL WITH THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 35, A DISTANCE OF 2,067.46 FEET TO THE WEST RIGHT-OF-WAY LINE OF JACARANDA BOULEVARD, AS DESCRIBED IN ROAD PLAT BOOK 4, PAGE 83 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING SEVENTEEN (17) COURSES: (1) THENCE S.44°35'12"E., A DISTANCE OF 18.47 FEET; (2) THENCE S.00°00'06"W., A DISTANCE OF 875.84 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 936.00 FEET AND A CENTRAL ANGLE OF 33°48'36"; (3) THENCE SOUTHERLY ALONG THE ARC A DISTANCE OF 552.33 FEET; (4) THENCE S.33°48'42"W., A DISTANCE OF 166.78 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 941.00 FEET AND A CENTRAL ANGLE OF 34°59'58"; (5) THENCE SOUTHERLY ALONG THE ARC A DISTANCE OF 574.82 FEET; (6) THENCE S.01°11'16"E., A DISTANCE OF 52.24 FEET; (7) THENCE S.88°48'44"W., A DISTANCE OF 119.62 FEET; (8) THENCE S.37°10'04"W., A DISTANCE OF 242.13 FEET; (9) THENCE S.36°47'28"E., A DISTANCE OF 104.70 FEET; (10) THENCE S.56°10'05"W., A DISTANCE OF 36.93 FEET; (11) THENCE S.13°48'55"E., A DISTANCE OF 13.67 FEET; (12) THENCE S.54°15'01"E., A DISTANCE OF 7.64 FEET; (13) THENCE N.56°10'05"E., A DISTANCE OF 39.98 FEET; (14) THENCE S.36°47'28"E., A DISTANCE OF 29.75 FEET; (15) THENCE S.11°47'25"E., A DISTANCE OF 108.67 FEET; (16) THENCE S.72°32'20"E., A DISTANCE OF 123.31 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N.72°32'10"W., A RADIAL DISTANCE OF 821.00 FEET; (17) THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°44'13", A DISTANCE OF 239.83 FEET TO THE NORTHERLY LINE OF ARIA, AS RECORDED IN PLAT BOOK 52, PAGES 428 - 438, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.40°32'26"W., ALONG SAID NORTHERLY LINE, A DISTANCE OF 2277.04 FEET; THENCE N.89°30'49"W., CONTINUING ALONG SAID NORTHERLY LINE OF ARIA, A DISTANCE OF 59.93 FEET TO THE WEST LINE OF SAID SECTION 35; THENCE N.00°19'42"E., ALONG SAID WEST LINE, A DISTANCE OF 1120.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,877,716.72 SQUARE FEET OR 89.0201 ACRES, MORE OR LESS.

WHEREAS, NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, a Florida limited liability company, hereinafter referred to as "Developer," is developing the Property and desires to have its plat/site plan approved and to have the City of Venice undertake certain responsibilities with respect to said development.

WHEREAS, the Developer and City have agreed that certain roads and drainage facilities shall remain privately owned, operated and maintained at no expense to the City of Venice, after completion of construction.

WHEREAS, the **CIELO NEIGHBORHOOD ASSOCIATION, INC.**, a Florida not for profit corporation, hereinafter referred to as "Association," is the legal entity designated by Developer to serve as the perpetual maintenance entity to privately own, operate and maintain the private roads and drainage facilities pursuant to the Declaration of Covenants, Conditions and Restrictions for Cielo.

NOW THEREFORE, the Association agrees that upon completion of the construction of the private roads and drainage facilities by Developer, the Association shall maintain and repair to applicable City specifications those private roads and drainage facilities located on the Property, as identified in EXHIBIT "A" attached hereto.

This Agreement shall run with the land described above and shall insure to the benefit of and shall be binding upon the parties hereto, their successors and assigns.

Made and executed this 1st day of November, 2019.

IN WITNESS WHEREOF, the Owner, Developer and Association have caused these presents to be executed in their names, and their corporate seals to be hereunto affixed, by their proper officers thereunto duly authorized, the date and year first written above.

OWNER:

Cheryl Picerno

Signature
Cheryl Picerno

Printed Name

Amy R. Mallon

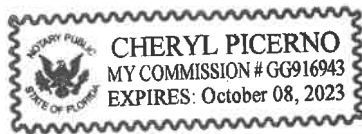
Signature

Amy R. Mallon

Printed Name

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this ____ day of November, 2019, by James R. Schier, as Manager of Border and Jacaranda Holdings, LLC, a Florida limited liability company, (X) who is personally known to me or () who has produced _____ as identification.



BOARDER AND JACARANDA HOLDINGS, LLC, a Florida limited liability company

By:

James R. Schier
James R. Schier, its Manager

Cheryl Picerno

Notary Public

My Commission Expires: _____

DEVELOPER:

NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, a Florida limited liability company,

By: NCDG Management, LLC, a Florida limited liability company, its Manager

By:

Name: *James R. Schier*
Its: Manager

Cheryl Picerno

Witness

Cheryl Picerno

Print Name of Witness

Amy R. Mallon

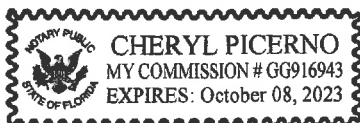
Witness

Amy R. Mallon

Print Name of Witness

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this ____ day of November, 2019, by James R. Schier, as Manager of NCDG Management, LLC, a Florida limited liability company, as Manager of Neal Communities of Southwest Florida, LLC, a Florida limited liability company, on behalf of the Company, (X) who is personally known to me or () who has produced _____ as identification.



Cheryl Picerno

Notary Public

My Commission Expires: _____

ASSOCIATION:

Cheryl Picerno

Signature

Cheryl Picerno

Printed Name

Amy R. Mallon

Signature

Amy R. Mallon

Printed Name

**STATE OF FLORIDA
COUNTY OF SARASOTA**

The foregoing instrument was acknowledged before me this _____ day of November, 2019, by James R. Schier, as President of the Cielo Neighborhood Association, Inc., on behalf of the Corporation, (☒) who is personally known to me or (☐) who has produced _____ as identification.

CIELO NEIGHBORHOOD ASSOCIATION, INC., a Florida
not for profit corporation

By:

James R. Schier, its President

Cheryl Picerno

Notary Public

My Commission Expires: _____

